

SERIAL NO.: 09/801,187

PATENTOld Docket No.: 310048-740
New Docket No. 11286-01155
Avery Ref.: 3385-US**REMARKS/ARGUMENTS**

In the above-mentioned Office Action, claims 78-83, 85-87, 90-99, 101-103, 106-115, 117-119, 122-131, 133-135 and 138-147 were rejected as being anticipated by Birnbaum (U.S. Patent 5,296,279), claims 78-83, 85-88, 90-99, 101-104, 106-115, 117-120, 122-131, 133-136 and 138-147 were rejected as being anticipated by Attia (U.S. Patent 6,016,618), and claims 89, 105, 121 and 137 were found to contain allowable subject matter.

In response to the Office Action, new dependent claims 148-179 have been added.

The indication that claims 89, 105, 121 and 137 were allowable is acknowledged with appreciation. These claims remain, as dependent claims, in the subject application.

The Examiner's rejections of the claims over Birnbaum and over Attia are respectfully traversed.

Each of the registered independent claims includes a first layer and a second layer which together at least substantially form a multi-layered sheet. At least one of these layers is selected and constructed and the cut lines in the first layer are configured such that the multi-layered sheet can be bent along the cut lines to thereby be split into individual sheet portions. In other words, it is the multi-layered sheet, which includes at least the first and second layers, which is split to form individual sheet portions. This is not disclosed by either Birnbaum or Attia, Applicants respectfully contend. For both of these references, it is only the first layer which is divided into smaller portions.

Specifically, Birnbaum discloses removing stamps (first layer) from a carrier (second layer). It does not disclose splitting a multi-layered sheet into individual sheet portions. In fact, Birnbaum teaches that if the construction is folded in half, it will not split but rather can be carried in a wallet or other type of currency carrier. See column 2, lines 5-8. Further, if the Birnbaum construction were modified so that the release

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liner would split when folded, the stamps could not be dispensed as described because the liner would constantly break before the stamps would release from the liner.

Similarly, Attia discloses die cut labels 16, which are "readily removable from part 14 of sheet 13 and can be peeled from the release sheet 23. They then provide printed adhesive labels that can be affixed to medicines or property of the person identified by the wrist band attained from the same sheet 13." Column 4, last paragraph. The Attia multi-layer sheet including first and second layers is not constructed to be split as in the claims of the present invention.

It is respectfully contended that the Examiner is confusing a sheet construction whose release liner is adapted to be bent for easy removal of adhesive labels to that of the present invention, in which the layer (which according to the Examiner corresponds to the release liner in Birnbaum and Attia) splits when bent beyond a critical angle. The physical splitting of the release liner is not disclosed in Birnbaum nor in Attia.

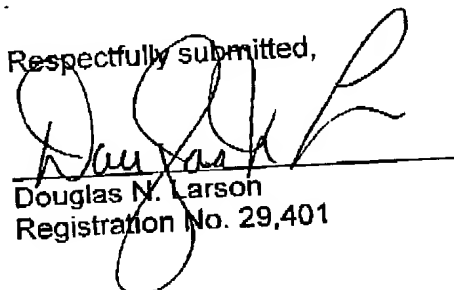
These distinctions of the present invention over the two patent references are further emphasized in the newly-added dependent claims.

It is thus respectfully submitted that the subject application is in condition for allowance. If there are any remaining issues, the Examiner is encouraged to telephone the below-signed counsel at (213) 689-5142 to seek to resolve them.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1853. Should such additional fees be associated with an extension of time, Applicants respectfully request that this paper be considered a petition therefor.

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Respectfully submitted,


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